



WISCONSIN LEGISLATIVE COUNCIL

JOINT LEGISLATIVE COUNCIL MINUTES

Room 417 North (the G.A.R. Room), State Capitol
Madison, Wisconsin

May 15, 2001
8:30 a.m. - 9:45 a.m.

[The following is a summary of the May 15, 2001 meeting of the Joint Legislative Council. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting and a copy of the registration form listing those who attended. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc/2000studies.htm>.]

Call to Order and Roll Call

Co-Chair Rhoades called the meeting to order. She deferred calling the roll and approving the minutes until a quorum was present.

Co-Chair Rhoades welcomed the newest member of the Joint Legislative Council-- Representative Lee Meyerhofer.

She then gave a brief report on the status of the Joint Legislative Council study committee work. Co-Chair Rhoades added that because of the tightly scheduled agenda, it would not be possible to accommodate any public appearances. However, she reminded the members that if the bills are introduced by the Council, they will then follow the traditional process in the Legislature and that public hearings will be held on these bills in their assigned standing committees.

Co-Chair Rhoades announced that because a number of members had briefings to attend prior to the Joint Committee on Finance meeting, that the Council would be hearing the recommendations from both committees before voting on the proposals.

COMMITTEE MEMBERS
PRESENT: Rep. Kitty Rhoades and Sen. Fred A. Risser, Co-Chairs; Reps. Spencer Black, Peter Bock, Steven Foti, Stephen Freese, John Gard, Gregory Huber, Scott R. Jensen, Michael Lehman and Lee Meyerhofer; and Sens. James Baumgart, Brian Burke, Charles Chvala, Alberta Darling, Gary George, Richard Grobschmidt, Judy Robson and David Zien.

COMMITTEE MEMBERS
EXCUSED: Rep. Jeff Stone; and Sens. Mary Panzer and Peggy Rosenzweig.

COUNCIL STAFF PRESENT: Terry C. Anderson, Director; Laura Rose, Deputy Director; Robert Conlin, Senior Staff Attorney; Rachel Letzing and Nick Zavos, Staff Attorneys; and Wendy Ulrich and Kelly Mautz, Administrative Assistants.

APPEARANCES: Rep. Steven Foti and Sen. Judy Robson, Co-Chairs, Special Committee on Developmental Disabilities; and Rep. Jean Hundertmark and Sen. Gary George, Co-Chairs, Special Committee on Labor Shortage.

**Approval of the Minutes of the Committee's
March 14, 2001 Meeting**

It was moved by Rep. Freese, seconded by Co-Chair Risser, that the minutes of the March 14, 2001 meeting be approved. The motion was adopted by unanimous consent.

Consideration of 2000 Study Committee Reports:

**Report of the Special Committee on
Developmental Disabilities**

Senator Robson, Committee Co-Chair, reported on the activities of the committee and described the drafts recommended to the Joint Legislative Council: WLC: 0151/1, WLC: 0152/1, WLC: 0153/1 and WLC: 0142/2. Representative Foti thanked the Council for giving him the opportunity to co-chair this committee, even though he felt he was not an expert in this area.

Co-Chair Rhoades asked if there was any discussion on any of these proposals.

First, several Council members commended the co-chairs on the work product of the committee.

Senator Baumgart expressed his concern that the funding appropriated for services for persons with developmental disabilities who are on waiting lists was not enough to eliminate the waiting lists. Senator Robson explained that the funding would reduce the waiting lists by an estimated 25% over the

biennium, but that a greater reduction in waiting lists for services could be achieved by increasing the cigarette tax by 3¢ per pack and directing the additional funds to waiting lists.

Several Council members expressed concern with increasing the excise tax on cigarettes in WLC: 0153/1.

Co-Chair Rhoades recommended that a person outside of the health care industry be appointed to the task force to develop a plan for the State Centers for the Developmentally Disabled.

In response to a question from Representative Gard, Senator Robson explained that requiring the Department of Health and Family Services (DHFS) to create a plan for the State Centers for the Developmentally Disabled is a necessary first step in addressing the future role of the centers. The DHFS is required to complete the plan by September 2002 and submit its recommendations to the Legislature. Senator Chvala noted that closing a State Center may not necessarily be the best option.

After hearing no further discussion:

Co-Chair Risser moved, seconded by Sen. Robson, that WLC: 0151/1, relating to adding legislative members to the council on developmental disabilities, and requiring an annual report to the legislature; permitting counties to provide the nonfederal share of medical assistance to create additional brain injury waiver slots; piloting the children's long-term support redesign; requiring the department of health and family services to promulgate rules relating to registered nurse visits as part of a review of a plan of care for persons receiving personal care services under the medical assistance program; requiring the department of health and family services to develop a plan to require one subunit within the department of health and family services to administer all institutional and community-based services for persons with developmental disabilities, and to combine all funding under the medical assistance program for institutional and community-based services into one appropriation; and requiring rule-making, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 18 (Reps. Rhoades, Bock, Foti, Freese, Gard, Huber, Jensen, Lehman and Meyerhofer; and Sens. Risser, Baumgart, Burke, Chvala, Darling, George, Grobschmidt, Robson and Zien); Noes, 0; and Absent, 4 (Reps. Black and Stone; and Sens. Panzer and Rosenzweig).

Sen. Grobschmidt moved, seconded by Sen. Robson, that WLC: 0152/1, relating to increasing funding for the family support program; increasing the daily reimbursement rate for the community integration program for persons with mental retardation; providing funding for services for persons with developmental disabilities who are on waiting lists for services; requiring the department of health and family services to establish criteria for distribution of this funding and to develop a plan to eliminate waiting lists for services for persons with developmental disabilities by the end of state fiscal year 2004-05; requiring the council

on developmental disabilities to evaluate, and report to the legislature, the number of persons with developmental disabilities on waiting lists for services at the end of each calendar year; requiring rule-making; and making an appropriation, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 18 (Reps. Rhoades, Black, Bock, Foti, Freese, Huber, Jensen, Lehman and Meyerhofer; and Sens. Risser, Baumgart, Burke, Chvala, Darling, George, Grobschmidt, Robson and Zien); Noes, 1 (Rep. Gard); and Absent, 3 (Rep. Stone; and Sens. Panzer and Rosenzweig).

Co-Chair Risser moved, seconded by Sen. Robson, that WLC: 0153/1, relating to increasing the excise tax on cigarettes and depositing the funds from the increase into an appropriation of the department of health and family services to fund services to persons with developmental disabilities who are waiting for services, and making an appropriation, be introduced by the Joint Legislative Council. The motion failed on a roll call vote as follows: Ayes, 11 (Reps. Black, Bock, Huber and Meyerhofer; and Sens. Risser, Baumgart, Burke, Chvala, George, Grobschmidt and Robson); Noes, 8 (Reps. Rhoades, Foti, Freese, Gard, Jensen and Lehman; and Sen. Darling); and Absent, 3 (Rep. Stone; and Sens. Panzer and Rosenzweig).

Rep. Foti moved, seconded by Sen. Robson, that WLC: 0142/2, relating to requiring the creation of a task force to develop a plan for the state centers for the developmentally disabled, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 19 (Reps. Rhoades, Black, Bock, Foti, Freese, Gard, Huber, Jensen, Lehman and Meyerhofer; and Sens. Risser, Baumgart, Burke, Chvala, Darling, George, Grobschmidt, Robson and Zien); Noes, 0; and Absent, 3 (Rep. Stone; and Sens. Panzer and Rosenzweig).

Report of the Special Committee on Labor Shortage

Representative Hundertmark, Committee Co-Chair, reviewed the activities of the committee and highlighted some of the statistics that make the labor shortage issue important. Senator George, Committee Co-Chair, acknowledged four members of the committee in the audience, Richard Gartner, Jim Macejkovic, Dorothy Walker and Gregory Meyer, and briefly described the provisions of WLC: 0150/1 and WLC: 0135/1.

Co-Chairs Rhoades and Risser commended the co-chairs of the Special Committee on Labor Shortage on working with such a large committee (31 members) and recommending an excellent package.

The committee discussed the acute nursing shortage and the relevance of a nursing student loan program in addressing that problem.

In response to a question by Representative Bock, Senator George indicated that the committee received many recommendations but managed to whittle them down to those included in the drafts through the work of informal discussion groups. He said that the Special Committee decided on placing the bulk of its recommendations into one bill draft instead of individual drafts because it is important to address these matters as a complete package.

Senator George indicated that the appropriations in the drafts were modest and the cost of the tax credits could vary considerably depending upon participation.

After further discussion:

Rep. Freese moved, seconded by Sen. Grobschmidt, that WLC: 0150/1, relating to special labor-related reports, training and education tax incentives, training and education programs, granting rule-making authority and making an appropriation, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 18 (Reps. Rhoades, Black, Bock, Foti, Freese, Huber, Jensen, Lehman and Meyerhofer; and Sens. Risser, Baumgart, Burke, Chvala, Darling, George, Grobschmidt, Robson and Zien); Noes, 0; and Absent, 4 (Reps. Gard and Stone; and Sens. Panzer and Rosenzweig).

Rep. Freese moved, seconded by Rep. Foti, that WLC: 0135/1, relating to memorializing congress to study and modify the social security earnings limit, be introduced by the Joint Legislative Council. The motion passed on a roll call vote as follows: Ayes, 18 (Reps. Rhoades, Black, Bock, Foti, Freese, Huber, Jensen, Lehman and Meyerhofer; and Sens. Risser, Baumgart, Burke, Chvala, Darling, George, Grobschmidt, Robson and Zien); Noes, 0; and Absent, 4 (Reps. Gard and Stone; and Sens. Panzer and Rosenzweig).

Other Business

There was no other business to come before the committee.

Adjournment

The meeting was adjourned at 9:45 a.m.

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